

REMARKS

In the Restriction Requirement the Examiner indicated that the claims included two inventions, claims 1-13 drawn to a positioning tool and claims 14-15 drawn to a method of positioning a prosthetic acetabulum. Applicants now elect, with traverse, the invention of method claims 14 and 15.

Applicants traverse the restriction requirement because it is submitted that there is no undue burden placed on the Examiner by searching both the claimed tool and the method of positioning a prosthesis since the method claims are directed, at least in part, to using the claimed tool. Because of this overlapping subject matter, searching either of the inventions would not place an undue burden on the Examiner. Reconsideration of the Restriction Requirement is respectfully requested.

Applicants also request that new claims 16-32 be entered in this application. These new claims recite alternative embodiments of the method of elected claims 14 and 15 and are fully supported by the specification and claims as originally filed. No new matter is added by this amendment.

Finally, Applicants note that claim 14 has been indicated to be allowed in an earlier office action dated May 16, 2006 (Final Office Action before RCE filing) and that the rejection of claim 15 was overcome in the amendment dated September 18, 2006. A notice of allowance of these claims is requested. Further, since the new claims recite features that correspond to the features recited in allowed claims 14 and 15, a notice of allowance of the new claims is also requested.

Respectfully submitted,

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